



Patent
032228.0006.UTL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Clemes et al.

Application No.: 09/848,255

Filing Date: May 4, 2001

For: SULPHUR DIOXIDE GENERATOR

CERTIFICATE OF MAILING (37 C.F.R. § 1.10)

I hereby certify that this paper (along with anything referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail' in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231, on the date set forth below.

Jodie M. Rivas
(Name)

Feb. 5, 2003

(Date)

Signature

RESPONSE TO OFFICE ACTION

Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant respectfully submits the following remarks in response to the Office Action mailed August 07, 2002.

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REMARKS

Rejections under §103

Paragraph 1 of the Action rejects claim 1 under 35 USC 103(a) as being unpatentable over Razeto in view of Clemes. Applicants respectfully traverse this rejection, because Razeto and Clemes, alone or in combination, fail to teach suggest or disclose every element of claim 1. In order to sustain a *prima facie* case of obviousness, Razeto in combination with Clemes must teach or suggest every claim limitation and also a reasonable expectation that the claimed combination will be successful (see MPEP §2141.03).

Razeto discloses two constructions. In Figure 1 there are three layers. The outer layer 16 is of laminated construction (see Figure 4) and consists of a sisal or paper sheet 28 and a plastic film 30. The middle layer 20 comprises a sisal or paper sheet (designated 28 in Figure 5) coated on both sides

with films 31, 32. The other outer layer 18 is of paper. The layers are heat sealed together along a grid of lines to form pockets which contain powdered chlorine generating material. In the construction of Figure 3, the middle layer 20 is omitted and the layer 18 is described as being "impregnated" with a reagent mixture. The third layer 18 consists solely of an impregnated paper substrate.

Clemes discloses two films 12, 14 of synthetic plastics material which are laminated together using a laminating adhesive 16 in which sulphur dioxide generating particles are dispersed. In his description of the prior art Clemes describes a paper product consisting of a paper substrate the external surface of which is coated with a layer having in it the sulphur dioxide generating substance. The prior art generator is described as having pockets in which granular generating material is contained.

The Action states that the substitution of sulphur dioxide generating material for chlorine generating material would be obvious to one skilled in the art and result in the structure defined in claim 1. Applicant does not agree with this but does not intend to present any arguments on the point at this stage. It is pointed out, however, that the proposed combination of references does not result in the product defined in claim 1.

Claim 1 requires a product in accordance with the present invention to have the following features:

- (1) a paper substrate with a first coating of sulphur dioxide generating material on it and a second coating of weldable plastics material; and
- (2) the first coating is between the paper substrate and the second coating.

Razeto discloses an impregnated paper substrate in respect of his Figure 3 embodiment. There is no disclosure of a composite material comprising substrate - generating material layer - plastic.

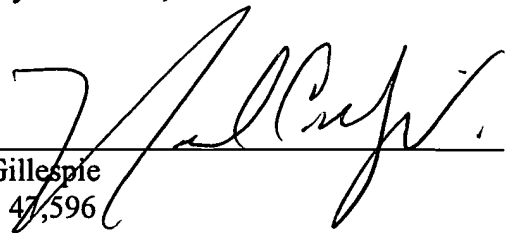
Clemes in his prior art statement discloses a paper layer with a coating on it. There is no disclosure of the three layer composite material defined in claim 1. Thus it is respectfully submitted that the disclosures of the two cited specifications, however combined, do not result in a product having the constructional features of claim 1. Accordingly, the structure of claim 1 is not believed to be anticipated by, or made obvious in light of any of the prior art however combined. Favourable reconsideration of the application and allowance is believed to be in order and is respectfully requested.

CONCLUSION

Based on the above amendments and remarks, Applicants believe that the application is now in condition for allowance and such is respectfully requested. No additional claim fees are believed due. This Response is being filed within 6 months of the mailing date of the Action. Therefore, a 3 month extension fee is believed due and is included herewith. The Commissioner is, however, hereby authorized to charge any fees required by this response, and not covered by the included fees, to our Deposit Account No. 50-1273 (Order No. 032228.0006.UTL).

Respectfully submitted,

Dated: 02/05/03
BROBECK, PHLEGER & HARRISON LLP
12390 El Camino Real
San Diego, CA 92130-2081
Telephone: (858) 720-2500
Facsimile: (858) 720-2555

By: 
Noel C. Gillespie
Reg. No.: 47,596



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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

Docket No. (Optional)
032228.0006UTL1 (GBLH: 21919/013)

In re Application of Clemes, Dennis Charles et al.

Application Number
09/848,255

Filed
May 4, 2001

For: SULPHUR DIOXIDE GENERATOR

Group Art Unit 1772

Examiner BRUENJES, CHRISTOPHER P

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

- | | | |
|--|----|--------|
| <input type="checkbox"/> One month (37 CFR 1.17(a)(1)) | \$ | |
| <input type="checkbox"/> Two months (37 CFR 1.17(a)(2)) | \$ | |
| <input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3)) | \$ | 930.00 |
| <input type="checkbox"/> Four months (37 CFR 1.17(a)(4)) | \$ | |
| <input type="checkbox"/> Five months (37 CFR 1.17(a)(5)) | \$ | |

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 22-0185

I have enclosed a duplicate copy of this sheet.

I am the ☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☐ attorney or agent of record.

☒ attorney or agent under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a) 44,163

February 5, 2003
Date

Signature
Larry J. Hume
Typed or Printed Name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below

☐ 1 forms are submitted.

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